

Case No. 15-CV-1606
Gwin, J.

objections to an R&R within fourteen days of service.⁷ Failure to object within that time waives a party's right to have the Court review the R&R.⁸ Absent objection, a district court may adopt the R&R without review.⁹

In this case, neither party has objected to the R&R. Moreover, having conducted its own review of the record, this Court agrees with the conclusions of Magistrate Judge Ruiz.

Accordingly, the Court **ADOPTS** in whole Magistrate Judge Ruiz's R&R and incorporates it fully herein by reference. The Court **DISMISSES WITHOUT PREJUDICE** the Plaintiff's motion for partial summary judgment.

IT IS SO ORDERED.

Dated: January 5, 2017

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁷ Fed. R. Civ. P. 72(b)(2); LR 72.3(b).

⁸ LR 72.3(b); see *Thomas v. Arn*, 474 U.S. 140, 145 (1985); *United States v. Walters*, 638 F.2d 947, 949–50 (6th Cir. 1981).

⁹ See *Thomas*, 474 U.S. at 149.